HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ Petition No. 807(S/S)2006

1. Jaswant Singh S/o late Mr. Ghasi Ram,
   R/o Mohalla Dilla Singh,
   District Udham Singh Nagar,
2. Suresh Kumar S/o late mr. Kailash Chand,
   R/o Mohalla Chauhan, Jaspur,
   District Udham Singh Nagar,
3. Poonam Chauhan W/o Mr. Manoj Kumar Chauhan,
   R/o Mohalla Chauhan, Jaspur,
   District Udham Singh Nagar, --- Petitioners.

Versus

1. State of Uttaranchal through
   Education Secretary, Dehradun,
2. Director of Education, Dehradun,
3. Zila Basic Shiksha Adhikari,
   Udham Singh Nagar. ----Respondents.

Sri Khalil Amhad, learned counsel for the petitioners.
Learned Standing Counsel for the respondent s,

Hon'ble M.M. Ghildiyal, J.

Heard Sri Khalil Ahmad, learned counsel for the petitioners and learned Standing Counsel for the State/ respondents.

2. By means of this writ petition, the petitioners have prayed to issue a writ in the nature of mandamus commanding the respondents to grant promotion, seniority and all other benefits of service from the date of their initial appointment.

3. Submission of the petitioners, as narrated in the writ petition, is that they were appointed by the respondents as Assistant Teachers in the Primary School under Dying-in-harness Rules in the year 1993, 98 and 99 respectively.

4. Counsel for the petitioners contends that the petitioners are not being granted seniority and other service benefits from the date of their initial appointment. In this respect the petitioners met the authorities several times and when they paid no heed, the petitioners made representation, however the respondents did not redress the grievances raised by the petitioners.

5. Though, in para-6 of the writ petition, it is stated by the petitioners that they have submitted a representation to the respondents raising their grievances, however no such representation is filed alongwith the writ petition.

6. In these circumstances, I think it justified to direct the petitioners to make fresh representation before the respondent no. 2 i.e. Director of Education, Dehradun raising all their grievances within a period of three weeks from today and the respondent no. 2 shall pass necessary orders on the representation of the petitioner within a period of six weeks from the date of receipt of a certified copy of this order alongwith the representation.

7. With this direction, the writ petition is finally disposed of.

(M.M. Ghildiyal, J.)

June 22, 2006:
NCM: